

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
FERREL L. AGARD,

Appellant,

E.D. Bankr. Case 8-10-77338(REG)

-against-

**AMENDED JUDGMENT**  
CV-11-1826 (JS)

SELECT PORTFOLIO SERVICING, INC. and  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.,

Appellee.

-----X  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.,

Appellant,

CV-11-2366 (JS)

-against-

FERREL L. AGARD, ROBERT L. PRYOR,  
U.S. TRUSTEE, SELECT PORTFOLIO  
SERVICING, INC.,

Appellee.

-----X

A Memorandum and Order of Honorable Joanna Seybert, United States District Judge, having been filed on March 28, 2012, granting the appeal of Mortgage Electronic Registration Systems, Inc., vacating the portion of Bankruptcy Judge Robert E. Grossman's opinions addressing the hypothetical question of whether Select Portfolio Servicing, Inc./ U.S. Bank National Association would have had standing absent the Judgment of Foreclosure, and directing the Clerk of Court to mark both actions in this consolidated appeal closed, it is

**ORDERED AND ADJUDGED** that the appeal of Mortgage Electronic Registration Systems, Inc. is granted; that the portion of Bankruptcy Judge Robert E. Grossman's opinions addressing the hypothetical question of whether Select Portfolio Servicing, Inc./ U.S. Bank

National Association would have had standing absent the Judgment of Foreclosure is vacated; and that this consolidated appeal is closed.

Dated: Central Islip, New York  
April 4, 2012

DOUGLAS C. PALMER  
CLERK OF THE COURT

By: /s/ Catherine Vukovich  
Deputy Clerk